

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **LESS-INVASIVE DEVICES AND METHODS FOR CARDIAC VALVE SURGERY**, the specification of which is attached hereto.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing	Status
08/485,600	June 7, 1995	Pending
08/281,962	July 28, 1994	Pending
08/163,241	December 6, 1993	Pending
08/023,778	February 22, 1993	Issued
08/486,941	June 6, 1995	Pending

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James M. Heslin, Reg. No. 29,541  
Jeffry J. Grainger, Reg. No. 36,815  
Jens E. Hoekendijk, Reg. No. 37,149

Send Correspondence to: James M. Heslin TOWNSEND AND TOWNSEND AND CREW Steuart Street Tower One Market Plaza, 20th Floor San Francisco, CA 94105	Direct Telephone Calls to:  James M. Heslin Reg. No. 29,541 Telephone: (415) 326-2400
--	---

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or one  
joint inventor:

Brian S. Donlon

Inventor's signature:

Brian S Donlon

Date:

2/28/97

Residence & Post Office Address:

13944 Fremont Pines Lane  
Los Altos Hills, CA 94022

Citizenship:

United States

Full name of sole or one  
joint inventor:

William S. Peters

Inventor's signature:

\_\_\_\_\_

Date:

Residence & Post Office Address:

59 Brighton road, Unit 2  
Elwood VIC 3184  
Australia

Citizenship:

New Zealand

Full name of sole or one  
joint inventor:

Inventor's signature:

Date:

Residence & Post Office Address:

Citizenship:

Michi E. Garrison

Michi E. Garrison

2/27/97

212. Roosevelt Blvd.  
Half Moon Bay, CA 94019

United States

Full name of sole or one  
joint inventor:

Inventor's Signature:

Date:

Residence & Post Office Address:

Citizenship:

Daniel C. Rosenman

Daniel C. Rosenman

2/27/97

1415 Waller Street #3  
San Francisco, CA 94117

United States

Full name of sole or one  
joint inventor:

Inventor's Signature:

Date:

Residence & Post Office Address:

Citizenship:

John H. Stevens

28 Great Ormond Street, Flat #6  
London, England WC1N 3JH

United States

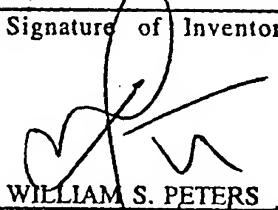
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 Jeffry J. Grainger, Reg. No. 36,815  
 Jens E. Hoekendijk, Reg. No. 37,149

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---	---

Full Name of Inventor 1	Last Name	First Name	Middle Name or Initial
	PETERS	WILLIAM	S.
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship
	Elwood VIC 3184	Australia	New Zealand
Post Office Address	Post Office Address	City	State/Country & Zip
	Unit 2 59 Brighton Road	Elwood VIC 3184	Australia

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
		
WILLIAM S. PETERS	N/A	N/A
Date: 4/2/96	Date:	Date:

Full Name of Inventor 4	Last Name	First Name	Middle Name or Initial
	ROSENMAN	DANIEL	C.
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship
	San Mateo	California	USA
Post Office Address	Post Office Address	City	State/Country & Zip
	216 Grand Blvd. #2	San Mateo	CA 94401
Full Name of Inventor 5	Last Name	First Name	Middle Name or Initial
	STEVENS	JOHN	H.
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship
	London	England	USA
Post Office Address	Post Office Address	City	State/Country & Zip
	28 Great Ormond St. Flat #6	London	England WC1N 3JH

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 5:

Dated: 6 Feb 1996

  
JOHN H. STEVENS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Brian S. Donlon, et al.  
Serial No. : 09/416,492 Art Unit: 3738  
Filed : October 12, 1999 Examiner: D. Isabella  
For : LESS-INVASIVE DEVICES AND METHOS FOR CARDIAC VALVE  
SURGERY

Commissioner for Patents  
Washington, D.C. 20231

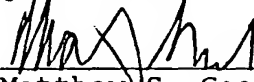
ASSOCIATE POWER OF ATTORNEY

Sir:

In the matter of the above-identified application, I hereby appoint Brian S. Tomko (Reg. No. 41,349), whose postal address is One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933-7003, my associate attorney to prosecute said application, to make alterations and amendments therein, to file continuing applications claiming the benefit of said application, to receive the patent and to transact all business in the Patent Office connected with said application.

I request all communications with respect to said application be addressed to Philip S. Johnson, One Johnson & Johnson Plaza, New Brunswick, New Jersey 08933-7003. All telephone calls should be directed to Brian S. Tomko (732) 524-1239.

Signed at New Brunswick, in the County of Middlesex and State of New Jersey, this 19th day of April, 2002.

  
Matthew S. Goodwin  
Reg. No. 32,839  
Attorney for Applicant

One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-3849  
DATED: April 19, 2002

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, DC 20231, on

July 12 2001

By: 

E. Richard Skula  
Attorney for Applicant(s)  
Reg. No. 31,061

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

BRIAN S. DONLON, et al. )

Examiner: D. ISABELLA

Application No.: 09/416,492 )

Art Unit: 3738

Filed: October 12, 1999 )

For: LESS-INVASIVE DEVICES )  
AND METHODS FOR )  
CARDIAC VALVE SURGERY )

REVOCATION AND SUBSTITUTION  
OF POWER OF ATTORNEY UNDER  
37 CFR § 1.36

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to 37 CFR § 1.36, HEARTPORT, INC. revokes all previous powers of attorney  
and hereby appoints the following to prosecute this application and transact all business in the Patent and  
Trademark Office connected therewith:

Audley A. Ciamporcero, Jr., Reg. No. 26,051  
Matthew S. Goodwin, Reg. No. 32,839  
Emil Richard Skula, Reg. No. 31,061  
Verne E. Kreger, Jr., Reg. No. 35,231  
William Kent Wissing, Reg. No. 34,757  
Dean Garner, Reg. No. 35,877  
Bernard Shay, Reg. No. 32,061

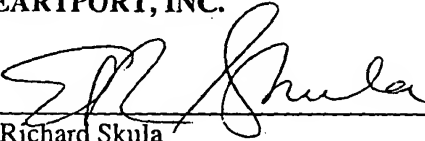
Please direct all future correspondence regarding the subject application to:

AUDLEY A. CIAMPORCERO, JR.  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003

Asignee, HEARTPORT, INC., GIVES YOU THE BELOW DATE/SIGNATURE LINE:

HEARTPORT, INC.

Date: July 12, 2001

  
\_\_\_\_\_  
E. Richard Skula  
Title: Assistant Secretary  
Reg. No. 31,061





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 15, 1997

PTAS



\*100383448A\*

HEARTPORT, INC.  
JEFFREY J. GRAINGER  
200 CHESAPEAKE DRIVE  
REDWOOD CITY, CA 94063

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/05/1997

REEL/FRAME: 8418/0670  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
DONLON, BRIAN S.

DOC DATE: 02/28/1997

ASSIGNOR:  
PETERS, WILLIAM S.

DOC DATE: 04/02/1996

ASSIGNOR:  
GARRISON, MICHI E.

DOC DATE: 02/27/1997

ASSIGNOR:  
ROSENMAN, DANIEL C.

DOC DATE: 02/27/1997

ASSIGNOR:  
STEVENS, JOHN H

DOC DATE: 02/06/1997

ASSIGNEE:  
HEARTPORT, INC.  
200 CHESAPEAKE DRIVE  
REDWOOD CITY, CALIFORNIA 94063

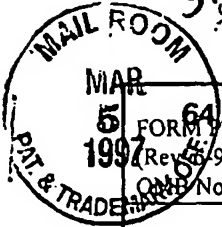


8418/0670 PAGE 2

SERIAL NUMBER: 08594870  
PATENT NUMBER:

FILING DATE: 01/31/1996  
ISSUE DATE:

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



MD 3547

04-07-1997



100393448

PATENT

Date: March 3, 1997

No.: 14635-52/ Heartport No. 045-CP

3308

FORM PTO-1595

(Rev. 6/93)

OMB No. 0651-0011 (exp. 4/94)

PATENTS ONLY

U.S. DEPT. OF COMMERCE  
Patent and Trademark OfficeTo the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Brian S. Donlon  
William S. Peters  
Michi E. Garrison  
Daniel C. Rosenman  
John H. StevensAdditional name(s) of conveying party(ies)  
attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: 2/6 and 4/2/96; 2/27 and 2/28/97

2. Name and address of receiving  
party(ies)

Name: HEARTPORT, INC.

Internal Address:  
200 Chesapeake Drive  
Redwood City, CA 94063Street Address:  
200 Chesapeake Drive  
Redwood City, CA 94063Additional name(s) and address(es) attached?  
☐ Yes ☒ No

RECEIVED

MAR 27 1997

GROUP 3300

4. Application number(s) or patent number(s): 08/594,870

If this document is being filed together with a new application, the execution date of the application is \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom  
correspondence concerning document should be  
mailed:

Name: HEARTPORT, INC.

Internal Address:  
200 Chesapeake Drive  
Redwood City, CA 94063Street Address:  
200 Chesapeake Drive  
Redwood City, CA 940636. Total number of applications and  
patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

☐ Enclosed  
☒ Authorized to be charged to  
deposit account8. Deposit Account No.: 08-1510  
(duplicate attached)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and  
correct and any attached copy is a true copy of the original document.

Jeffry J. Grainger

Name of Person Signing  
Registration No.: 36,815

Signature

010 UT 03/31/97 0854870  
01042 58 Date 40.00CH

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information to:  
Assistant Commissioner for Patents, Box Assignments  
Washington, DC 20231

**ASSIGNMENT OF PATENT APPLICATION**

WHEREAS, Brian S. Donlon residing at 13944 Fremont Pines Lane, Los Altos Hills, California 94022; William S. Peters residing at 59 Brighton Road, Unit 2, Elwood VIC 3184, Australia; Michi E. Garrison residing at 2325 Casa Bona Avenue, Belmont, California 94002; and Daniel C. Rosenman, residing at 216 Grand Blvd., #2, San Mateo, California 94401; and John H. Stevens residing at 28 Great Ormond Street, Flat #6, London, England WC1N 3JH, hereinafter referred to as "Assignors", are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **LESS-INVASIVE DEVICES AND METHODS FOR  
CARDIAC VALVE SURGERY**

Date(s) of Execution of Declaration: \_\_\_\_\_

Filed: January 31, 1996

Serial No.: 08/594,870

WHEREAS, **HEARTPORT, INC.**, a Delaware corporation, located at 200 Chesapeake Drive, Redwood City, California 94063, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same:

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interests to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Brian S Donlon  
BRIAN S. DONLON

Date 2/28/97

WILLIAM S. PETERS

Date \_\_\_\_\_

Michi E. Garrison  
MICHI E. GARRISON

2/27/97  
Date

Daniel C. Rosenman  
DANIEL C. ROSENMAN

2/27/97  
Date

JOHN H. STEVENS

Date \_\_\_\_\_

**ASSIGNMENT OF PATENT APPLICATION**

SOLE

WHEREAS, **WILLIAM S. PETERS** residing at Unit 2; 59 Brighton Road, Elwood VIC 3184, Australia, hereinafter referred to as "Assignor", is the inventor of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **LESS-INVASIVE DEVICES AND METHODS FOR  
CARDIAC VALVE SURGERY**

Date(s) of Execution of Declaration: \_\_\_\_\_

Filed: January 31, 1996

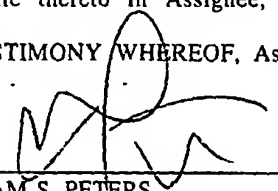
Serial No.: 08/594,870

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For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interests to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that he will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

  
\_\_\_\_\_  
WILLIAM S. PETERS

4/2/96  
\_\_\_\_\_  
Date

**ASSIGNMENT OF PATENT APPLICATION**

SOLE

WHEREAS, JOHN H. STEVENS residing at 28 Great Ormond Street, Flat #6, London, England WC1N 3JH, hereinafter referred to as "Assignor", is the inventor of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **LESS-INVASIVE DEVICES AND METHODS FOR  
CARDIAC VALVE SURGERY**

Date(s) of Execution of Declaration: \_\_\_\_\_

Filed: January 31, 1996

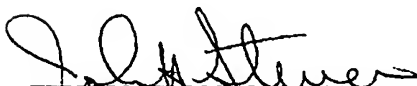
Serial No.: Not yet assigned

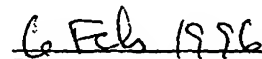
WHEREAS, HEARTPORT, INC., a Delaware corporation, located at 200 Chesapeake Drive, Redwood City, California 94063, hereinafter referred to as "Assignee", is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same:

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and all future improvements thereon, and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interests to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

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IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

  
\_\_\_\_\_  
JOHN H. STEVENS

  
\_\_\_\_\_  
Date